

OCT 12 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Regarding: Charles O. Townley
Serial No. 10/758,455
Filing Date 01/15/2004
Docket No. THUMB-604DIV
For MODULAR BASAL THUMB JOINT IMPLANT

Request to Act Upon Case on Appeal

Attention: On Appeal From Art Unit 3738
Examiner Brian E. Pellegrino

Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450:

I certify that this correspondence is facsimile-transmitted
to the Patent and Trademark Office (571-273-8300) on 12 OCT 2010:

Christopher John Rudy: Christopher John Rudy 10/12/2010.

Please ACT upon the present case on appeal. In particular,
no response from the Office has been received in light of the
paper timely filed on October 5, 2009 and received in the Office
on October 7, 2009, styled, "Incorporation of Reply Brief for
Appellant," which was in reply to 09/22/2009 Office communication
from the Examiner. That filing occurred over a year ago now!

Prompt and favorable action is again solicited.

Respectfully,

Dated: October 12, 2010 A.D.

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